## REMARKS

Applicants respectfully request reconsideration and allowance of the above-identified patent application. By this paper, claims 27-29 and 44-46 are pending, wherein claims 27 and 29 have been amended, claims 44-46 are new, claims 1-21 have previously been canceled, and claims 22-26, 30-44 are presently cancelled.[1]

Initially Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on August 24, 2005. The claim amendments and arguments submitted in this paper are consistent with the amendments and arguments presented during the course of the interview.[2]

Applicants also note with appreciation the Examiner's withdrawal of the previous grounds of rejection in response to Applicants' Amendment "A" filed January 28, 2005. Applicants also note with appreciation the Examiner's consideration of the documents submitted in the supplemental Information Disclosure Statements (IDSs) filed January 28th and April 26th, 2005.

The Office Action rejects all pending claims under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,049,831 to Gardell et al. ("*Gardell*"). Applicants respectfully traverse this ground of rejection.[3]

As discussed during the interview, Applicants' invention generally relates to a system wherein a client interactive TV system accesses and runs program(s) remotely at a server and wherein the server converts display commands generated from the program(s) into compressed video streams. As recited in independent claim 27, e.g., the system provides for a method for enabling a client to access TV channel programming via interaction with the one or more programs. The method allows a client interactive TV system to receive a compressed video stream representing a WWW page that identifies TV channel(s), wherein the WWW page is

[1] Support for the claim amendments can be found throughout the Specification, including ¶¶ [0143]-[0153], [0241]-[0251], [0260]-[0265].

[2] Applicants also note for the record (as discussed in the interview) that this case is part of a family of cases including the following application serial numbers: 09/770,769; 09/770,644; 09/770,767; 09/770,765; 09/770,766; 10/975,693; 10/976,063; 09/744,771; and 09/744,662. In order to preserve any and all rights available to Applicants, Applicants will not provide a terminal disclaimer with reference to any of the aforementioned cases at this time. Nevertheless, one or more terminal disclaimers may be provided in the future if the Examiner deems it necessary.

[3] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to do so in the future. Accordingly, any amendment or arguments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

converted to a compressed video stream and transmitted to the interactive TV by a remote server. The client also receives with the WWW page that was converted to a compressed video stream, an overlay of additional compressed video data, wherein the client interactive TV system decompresses and displays the WWW page and the overlaid additional compressed video data. Thereafter, the method detects an interaction of a user with at least some of the additional compressed video data that indicates a selection of one of the identified one or more TV channels and provides the user interaction to the remote server, which converts the user interaction into a format that can be assimilated by the one or more programs running at the remote server. In response to the user interaction, the client interactive TV system receives and displays the selected one of the identified TV channels.

Applicants' invention, as recited for example in independent method claim 29 also relates to interactive TV system wherein a client system accesses and runs program(s) remotely at a server. The system provides a method for enabling a client to modify the compressed video streams. At a server that is remote from a client and that runs one or more programs for the client, the method provides a first compressed video stream representing a TV channel. The server then overlays on the first compressed video stream a second compressed video stream representing an interaction layer that includes at least one control that corresponds to modifications that can be made to the first compressed video stream. Note that the second compressed video stream is overlaid on said first compressed video stream without decompressing the first compressed video stream, wherein the TV channel and the at least one control are displayed at the client system upon the client system receiving and decompressing the first and second compressed video streams. Thereafter, input is received from a viewer comprising interaction with said control, whereupon the input from the view is converted into a format that can be assimilated by the one or more programs running at the server. Upon conversion, the at least said first compressed video stream is modified responsive to said received interaction by at least one of: changing a channel over which the client system receives compressed video and such that the client receives new compressed video, or providing the client access to a different set of P frames than were originally provided in the first compressed video stream.

As discussed and generally agreed to during the interview, *Gardell* does not anticipate independent claims 27 and 29 for at least the reason that this cited reference does not disclose and/or enable each and every element of these claims.[4] For example, *Gardell*, among other things, does not disclose and/or enable a compressed video stream that has overlaid thereon additional compressed video data associated with an interaction layer. As such, *Gardell* cannot disclose or enable detecting an interaction of a user with at least some of the additional compressed video data that indicates a selection of one of the identified one or more TV channels, and in response to the user interaction, receiving and displaying the selected one of the identified TV channels on the client interactive TV system, as recited, *inter alia*, in claim 27. Further, *Gardell* does not disclose or enable an interaction layer as part of a second compressed video stream overlaid on a first video stream, wherein the interaction layer includes at least on control that corresponds to modifications that can be made to the first compressed video stream, and modifying at least the first compressed video stream responsive to received interaction of a user by at least one of: changing a channel over which the client system receives compressed video and such that the client receives new compressed video, or providing the client access to a different set of P frames than were originally provided in the first compressed video stream, as recited, *inter alia*, in claim 29.

*Gardell* discloses a system for transmitting network related information where requested network information is separately transmitted as definitions and display information. Although *Gardell* discloses sending Web pages to a set top box by translating a portion of a page into an MPEG I-Frame for transfer over a first path 138, *Gardell* does not disclose that such MPEG stream has overlaid thereon an additional compressed video data stream associated with an interaction layer. In fact, as discussed during the interview, col. 4, ll. 24-54, of *Gardell* states that pages are scanned for "interactive user interface elements," wherein if they are found they are then striped out to create "HTML UI definitions." (*See, e.g.*, col. 4, ll. 24-27). The resulting "display signal" from the page that was stripped of the interactive elements is then translated into

[4] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. That is, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." MPEP § 706.02. Applicants also note that "[i]n determining that quantum of prior art disclosure which is necessary to declare an applicant's invention 'not novel' or 'anticipated' within section 102, the stated test is whether a reference contains an 'enabling disclosure.'" MPEP § 2121.01. In other words, a cited reference must be enabled with respect to each claim limitation. Finally, Applicants note that M.P.E.P. §2141.02 states that the cited references must be considered as a whole, including those sections that "teach away" from the claimed invention. (Citation omitted).

an MPEG I-Frame for transmission over a first path 138. (*See, e.g.*, col. 4, ll. 49-53). The UI definitions, however, are translated to a different format for transmission over a separate path 134. *Id.* In other words, *Gardell* discloses sending interactive portions of a Web page over a transport stream different from the compressed video stream. As such, *Gardell* does not disclose or enable overlaying a compressed video stream with an additional compressed video stream associated with an interaction layer.

Because *Gardell* does not disclose or enable overlaying a compressed video stream with an additional compressed video stream associated with an interaction layer, *Gardell* cannot possibly disclose or suggest those additional features amended above with regard to claims 27 and 29. For example, *Gardell* cannot disclose or enable detecting an interaction of a user with at least some of the additional compressed video data that indicates a selection of one of the identified one or more TV channels, and in response to the user interaction, receiving and displaying the selected one of the identified TV channels on the client interactive TV system, as recited, *inter alia*, in claim 27. Further, *Gardell* does not disclose or enable an interaction layer as part of a second compressed video stream overlaid on a first video stream, wherein the interaction layer includes at least on control that corresponds to modifications that can be made to the first compressed video stream, and modifying at least the first compressed video stream responsive to received interaction of a user by at least one of: changing a channel over which the client system receives compressed video and such that the client receives new compressed video, or providing the client access to a different set of P frames than were originally provided in the first compressed video stream, as recited, *inter alia*, in claim 29. Indeed, as noted in the Interview Summary, the amendment proposed during the interview regarding the compressed video streams and overly functionality limitations appear to overcome current rejections, meaning that a new search most likely will be needed.

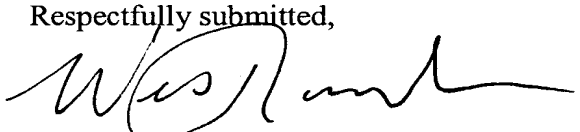
Based on at least the foregoing reasons, therefore, Applicants respectfully submit that the cited art fails to anticipate or make obvious Applicants' invention, as claimed, for example, in independent claims 27 and 29. Applicants note for the record that the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually. Accordingly, Applicants do not acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the

right to challenge those assertions in the future, including any official notice taken by the Examiner, if necessary or desired.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and notice to this effect is earnestly solicited. Should any question arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at +1.801.533.9800.

Dated this 1st day of September, 2005.

Respectfully submitted,



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